

IDAHO BOARD OF COSMETOLOGY

Meeting of the Board

October 1, 2001

Meeting called to order at 8:30 a.m.

Roll call: Christy Stutzke, Chair; Patrick Ulsh, Vice-Chair; Carol Martin, Secretary, Geneal Thompson, Eric Negaard. Bureau staff present: Budd Hetrick, Deputy Bureau Chief; John Kersey, Chief Investigator and Helen Piippo, Cosmetology Board Secretary.

Others present: Valorie D. Bradshaw, Cari Larsen, Karen Crouse, Zelda Haddenham, Lisa Salisbury, Linda Emerson, Janice Cover, Teena Steinmetz, Michelle Reinke, E.B. Scholes, Jr., Nancy Roland Peggy Foster, Nancy Roland.

Motion by Ms. Martin to accept the minutes of the June 2001 board meeting, the July 2, and September 11, 2001 conference call meetings. Seconded by Mr. Ulsh. Motion carried.

SCHOOL OWNERS

Mr. Scholes stated that there were no concerns of the school owners at this time.

NEW BUSINESS

Ms. Stutzke reviewed the appointments that will expire on October 31, 2001. These include Eric Negaard, School Owner's Association representative; Christy Stutzke, Cosmetology representing the Northern part of the state; Carolyn Shelley, Examiner representing the Central part of the state; and Ireta Michelsen, Examiner representing the Eastern part of the state. Discussion on appointments as to those wishing to seek reappointment or have their names submitted to the Governor.

Discussion on National Convention in Oklahoma. Mr. Hetrick will be attending the Administrator portion of the meeting; Ms. Stutzke, Ms. Martin, Ms. Thompson and Mr. Negaard will be representing Idaho for the entire meeting. Mr. Ulsh will not be attending but will be submitting letter as to reappointment to the National Board.

Motion by Mr. Ulsh to go into executive session to review apprenticeship training hours. Seconded by Ms. Martin. Motion carried.

Motion by Ms. Thompson to come out of executive session. Seconded by Mr. Ulsh. Motion carried.

Discussion on COS050900BRA as to transferring out-of-state school training hours to apprenticeship training. Ms. Stutzke stated that no hours can be transferred from out-state school to apprenticeship. Discussion held.

Discussion held on Sandpoint School of Hair Design offering a Cosmetology program to students still in high school. Mr. Hetrick stated that the Laws & Rules do not prohibit this, noting that as long as the students meet the age and grade requirements, and that a curriculum specific to the course for high school students is approved by the Board.

Mr. Hetrick informed Board that no financial report is available for this meeting. The rules have been submitted and published. Clarification of Application for Licensure records were reviewed as follows:

1. Students are responsible to submit applications with required documents, i.e. high school and proof of age
2. Schools are responsible to submit final training records.
3. Proof of education means a certified copy of transcripts or original diploma.
4. Verification of identity must be confirmed by supporting documentation any time different names are used by an applicant.

Ms. Stutzke stated that a letter will be sent to all schools as to what constitutes proof of education and identity.

Mr. Hetrick reviewed the question of estheticians using nail polish under the cosmetic preparation definition. Ms. Thompson stated that the term “cosmetic preparation” was intended to deal only with make-up.

Ms. Wallace informed board that nail technology is not in the scope of esthetics. Mr. Ericson stated that, for the 2003 legislature, the rules for nail technology could be clarified to include nail polish, and to include facials in the rules for esthetics.

Mr. Kersey gave Investigative Report:

1. To date, twenty-two (22) complaints have been received. All remain under investigation.
2. Twenty-seven (27) complaints were received for the year 2001. Of those, twenty-one (21) remain under investigation or under legal review.

The following complaints have been closed since last meeting:

1. COS-P4-03-00-027 – Alleged unsanitary conditions. Inspection revealed that the appropriate sanitizing agents were not being used, however conditions were improved and acceptable.
2. COS-L1A-03-01-001 – Alleged unlicensed establishment within a Laundromat. Investigation revealed that the respondent was providing services to her family only. A subsequent check by the investigator revealed that all equipment has been removed from the building.
3. COS-B1B-02B-01-002 – Alleged unlicensed practice. Investigation revealed the owner of a salon had employed an unlicensed practitioner. A cease and desist letter was issued to the owner of the salon.
4. COS-B1B-02B-004 – Alleged unlicensed practice and failure to allow patrons to use the salon’s restrooms. A warning letter was sent.
5. COS-L5B-02-01-005 – Violation of the instructor to student ratio. Inspection revealed no violation.
6. COS-B4B-02A-01-006 – Allowing animals in salon. A warning letter was sent.
7. COS-B3B-01-01-007 – Alleged breach of confidentiality of exam information. Investigation revealed no violation.
8. COS-L1A-03-01-008 – Alleged unlicensed practice. Investigation revealed a local community college was going to teach cosmetology classes. After being contacted by an investigator, the college decided to cancel the classes.

Mr. Kersey informed the Board that all schools should confirm that applicants document successful completion of tenth grade. Students must meet this requirement before enrolling in school.

Mr. Kersey stated that all student registrations will be returned if they are incomplete.

Mr. Kersey stated that the new investigator in Eastern Idaho is Stuart Propsom.

Ms. Wallace reviewed with Board regarding COS-L6-01-02-006 as to falsifying documents. Discussion held as to recommendations on Findings of Fact, Conclusions of Law, and Final Order. Ms. Martin made motion to table this action until further discussion. Seconded by Mr. Ulsh. Motion carried.

Discussion held regarding manikin hands: the rule prohibits bringing hands having previously applied artificial nails.

The Board discussed and reaffirmed that passport photos are required on applications.

Motion by Mr. Negaard to send letter to all schools requesting a list of students who do not have current law book as of July 1, 2001, and the Bureau will provide new current books at no charge. Seconded by Ms. Thompson. Motion carried.

Motion by Ms. Martin that new law and rule books be sent to all students enrolled, upon receipt of a current student list, anytime there is a change in the Laws & Rules. Seconded by Mr. Negaard. Motion carried.

Ms. Thompson made motion to go into executive session to discuss investigation. Seconded by Ms. Martin. Motion carried.

Mr. Ulsh made motion to come out of executive session. Seconded by Ms. Martin. Motion carried.

Discussion on next years dates for meetings and exams.

Meeting recessed at 11:30 a.m.

Meeting reconvened at 1:30 p.m.

Ms. Stutzke brought the meeting to order.

COS-L6-01-02-006 – Ms. Martin made motion to accept the voluntary surrender of CI license and enter into an Order as follows:

1. 10 years suspension of instructor license
2. 5 years suspension with 3 years stayed
3. 1,000 fine to be paid within 60 days

Stipulations under probation:

- No student instructor permit
- No association with apprenticeships in any salon
- Monitor employment location
- At no time be on site at any cosmetology school
- Pay investigation & legal costs.

Seconded by Ms. Thompson. Motion carried.

CORRESPONDENCE

Correspondence reviewed and no action taken.

Discussion on NIC Executive board being reduced from 13 positions to 9 positions. These will include President, Vice-President, Secretary-Treasurer, 4 Regional Directors and Board Administrator.

Discussion on endorsement fees. Mr. Ulsh made motion to change October 2, 2000 motion to follow Rule 150 (05) and that a theory exam fee for endorsement candidates not be required. Seconded by Ms. Martin. Motion carried.

Review of Files for approval:

COS091801HAD	Approved for Law Only
COS092201COE	Approved for Law Only
COS092001ZIT	Approved for Law Only
COS092101BUI	Approved for Law Only
COS092701CHE	Approved for Law Only
COS091801MCD	Approved for Law Only
COS092001ROW	Approved for Law Only

COS091901DIN Approved for Law Only

Discussion held on endorsements as to European candidates. Tabled until discussion with Mr. Erickson.

Meeting recessed at 4:00 p.m.

Meeting reconvened at 9:00 a.m. 10-2-01.

Minute book and certificates were signed by Board.

Review of law bank questions from school owners to be used for Idaho Jurisprudence exams.

Discussion with Mr. Ericson regarding endorsement candidates from other countries who do not have full cosmetology training covering hair, nail and esthetics. The Board discussed proposing a law change for a restricted license for the 2003 legislative session.

Clarification made by Mr. Ericson as to endorsements following 54-802 (1); 54-805 and 54-812.

COS092201MAR – European endorsement approved by Board.

There being no further business the meeting was adjourned at 3:00 p.m.